

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES  
STANDING COMMITTEE  
ROOM 250 STATE CAPITOL COMPLEX  
FEBRUARY 13 , 2012**

**CORRECTED, 3/6/12**

Members Present:            Sen. Allen M. Christensen, Chair  
                                      Sen. Patricia W. Jones  
                                      Sen. Mark B. Madsen  
                                      Sen. Stuart C. Reid  
                                      Sen. Luz Robles

Staff Present:                Mr. Mark D. Andrews, Policy Analyst  
                                      Ms. Karen C. Allred, Committee Secretary

A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Christensen called the meeting to order at 2:10 p.m.

**MOTION:**    Sen. Reid moved to approve the minutes of February 9, 2012. The motion passed unanimously.

**S.B. 88            Pharmacy Distribution Amendments (*Sen. C. Bramble*)**

Sen. Bramble introduced and explained the bill.

**MOTION:**    Sen. Reid moved to amend the bill as follows:

*1. Page 2, Lines 45 through 46:*

45                {+} (C) prescribed or used for the patient for the purpose of diagnosing,  
                      curing, {+} [~~mitigating,~~  
46 ~~treating,~~] {+} or preventing a disease. {+}

The motion passed unanimously.

**MOTION:**    Sen. Reid moved to reinstate the word "or" on line 44 as follows:

*1. Page 2, Lines 42 through 44:*

42                (ii) does not include a prescription drug that is:  
43                (A) a controlled substance; or  
44                (B) compounded by the physician {+} ; or {+} .

The motion passed unanimously.

**MOTION:** Sen. Jones moved to pass S.B. 88 out favorably. The motion passed unanimously.

Sen. Christensen relinquished the Chair to Sen. Reid.

**S.B. 85 Medicaid Cost Control Amendments (Sen. A. Christensen)**

Sen. Christensen introduced and explained the bill.

Spoke in favor of the bill: Dave Davis, President, Utah Retail Merchants Association and Utah Food Industry Association  
Jason Cook, Medicaid Policy Research Director, Utah Health Policy Project

Spoke in opposition to the bill: Ginger Phillips, Consumer Advocate  
Perrine Anderson, Advanced Practice Registered Nurse (APRN)  
Jackie Rendo, Mother  
LeRoy M. Cook, Consumer Advocate  
Rebecca Glather, Executive Director, National Alliance on Mental Illness, Utah

Spoke to the bill: Michael Hales, Deputy Director, Department of Health

**MOTION:** Sen. Madsen moved to amend S.B. 85 as follows:

1. Page 1, Lines 9 through 10:

9 This bill amends the Medicaid drug program {~~and establishes a restricted~~  
~~account for~~  
10 ~~Medicaid drug cost savings~~} .

2. Page 1, Lines 16 through 18:

16 circumstances; and  
17 {~~→ establishes a restricted account for the cost savings from the preferred~~  
~~drug list for~~  
18 ~~psychotropic drugs; and~~}

3. Page 1, Lines 22 through 27:

{~~22 This bill appropriates in fiscal year 2012-13:~~  
23 ~~→ to the Department of Human Services, Division of Substance Abuse and~~  
~~Mental~~

24 ~~Health, as an ongoing appropriation:~~  
25 ~~————— from the Medicaid Cost Control -- Psychotropic Drugs Restricted~~  
~~Account;~~  
26 ~~\$750,000, subject to intent language that the appropriation is non-lapsing and~~  
27 ~~shall be used to fund mental health centers.} None~~

4. Page 4, Line 114 through Page 5, Line 136:

{ ~~114~~ ~~————— Part 2. Restricted Account~~  
115 ~~—— 26-18-2.7. Medicaid Cost Control -- Psychotropic Drugs Restricted Account.~~  
116 ~~—— (1) There is created a restricted account within the General Fund known as the~~  
117 ~~"Medicaid Cost Control -- Psychotropic Drugs Restricted Account."~~  
118 ~~—— (2) Any money the Medicaid program saves as a result of psychotropic drugs~~  
~~being~~  
119 ~~added to the preferred drug list, up to \$750,000, shall be deposited by the Medicaid~~  
~~program~~  
120 ~~into the restricted account.~~  
121 ~~—— (3) As funds are available in the restricted account, up to \$750,000 shall be~~  
122 ~~appropriated to the Department of Human Services, Division of Substance Abuse and~~  
~~Mental~~  
123 ~~Health, for mental health centers.~~  
124 ~~—— Section 3. Appropriation.~~  
125 ~~—— Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures~~  
~~Act, the~~  
126 ~~following sums of money are appropriated from resources not otherwise~~  
~~appropriated, or~~  
127 ~~reduced from amounts previously appropriated, out of the funds or accounts~~  
~~indicated for the~~  
128 ~~fiscal year beginning July 1, 2012 and ending June 30, 2013. These are additions to~~  
~~any~~  
129 ~~amounts previously appropriated for fiscal year 2013.~~  
130 ~~To Department of Human Services - Division of Substance Abuse and Mental Health~~  
131 ~~—— From Medicaid Cost Control -- Psychotropic Drugs Restricted Account \$750,000~~  
132 ~~—— Schedule of Programs:~~  
133 ~~—— Mental Health Centers \$750,000~~  
134 ~~—— The Legislature intends that, under Section 63J-1-603 of the Utah Code,~~  
~~appropriations~~  
135 ~~under this section not lapse at the close of fiscal year 2013 and shall be used by the~~

**Division of**

**136 Substance Abuse and Mental Health to fund mental health centers-**

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The motion failed with Sen. Madsen and Sen. Reid voting in favor.

**MOTION:** Sen. Christensen moved to pass S.B. 85 out favorably. The motion failed with Sen. Christensen and Sen. Jones voting in favor.

Sen. Reid returned the Chair to Sen. Christensen.

**H.B. 100 Social Worker Examination Amendments (Rep. D. Litvack)**

Rep. Litvack introduced and explained the bill.

Spoke in favor of the bill: Emily Bleyl, Executive Director, National Association of Social Workers (NASW)

**MOTION:** Sen. Reid moved to pass H.B. 100 out favorably. The motion passed unanimously with Sen. Madsen absent for the vote.

**MOTION:** Sen. Jones moved to place H.B. 100 on the Consent Calendar. The motion passed unanimously with Sen. Madsen absent for the vote.

**H.B. 281 Human Services License Extensions (Rep. B. Last)**

Rep. Last introduced and explained the bill.

Spoke in favor of the bill: Mr. Ken Stettler, Director, Office of Licensing, Department of Human Services

**MOTION:** Sen. Jones moved to pass H.B. 281 out favorably. The motion passed unanimously with Sen. Madsen absent for the vote.

**MOTION:** Sen. Jones moved to place H.B. 281 on the Consent Calendar. The motion passed unanimously, with Sen. Madsen absent for the vote.

**1st Sub. H.B. 19 State Issued Identification Numbers (Rep. W. Harper)**

Sen. J. Stevenson introduced and explained the bill.

**MOTION:** Sen. Reid moved to pass 1st Sub. H.B. 19 out favorably. The motion passed unanimously, with Sen. Madsen absent for the vote.

**MOTION:** Sen. Reid moved to place 1st Sub. H.B. 19 on the Consent Calendar. The motion

passed unanimously, with Sen. Madsen absent for the vote.

**MOTION:** Sen. Jones moved to adjourn. The motion passed unanimously.

The meeting adjourned at 3:46 p.m.

Minutes reported by Karen C. Allred, Secretary.

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Sen. Allen M. Christensen, Committee Chair